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### FACSIMILE COVER SHEET

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**OUR REF.: 2267.677US03** 

DATE:

September 28, 2006

TO:

Examiner James N. Smalley

Group Art Unit 3727

FAX #: 571-273-8300

PHONE #:

571-272-4547

Application No.:

10/718,033

Applicant:

Dale Maenke

Due Date:

n/a

FROM:

Bradley J. Thorson

PHONE #:

612-349-5756

Attached please find the following for filing in the above-identified application:

(1) Terminal Disclaimer to Obviate a Double Patenting Rejection Over a Prior Patent

Respectfully submitted,

Bradley J. Thorson

Registration No. 52,288

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office, Fax No. 571-273-8300 on the date shown below.

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Bradley J. Thorson

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# SEP 2 8 2006

#### PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Attorney Docket No.: 2267.677US03

Dale Maenke

Confirmation No.: 7164

Application No.:

10/718,033

Examiner: Smalley

Filed:

November 20, 2003

Group Art Unit: 3727

For: DRUM VENT

# TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The owner, Entegris, Inc., of the entire interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,883,675. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is

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Application No. 10/718,033

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The Commissioner is hereby authorized to charge the fee of \$130.00 required under 37 C.F.R. § 1.321(b) and § 1.20(d), to Deposit Account No. 16-0631, to grant any extension of time necessary for consideration of this paper, and/or to charge any other fee or credit any overpayment to Deposit Account No. 16-0631.

The undersigned is an attorney or agent of record.

Respectfully submitted,

Bradley J. Thorson

Registration No. 52,288

Customer No. 24113
Patterson, Thuente, Skaar & Christensen, P.A. 4800 IDS Center
80 South 8th Street
Minneapolis, Minnesota 55402-2100
Telephone: (612) 349-5740

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Bradley 1 Thorson